

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JAMES LEE LIVINGSTON,

Defendant.

8:10CR62

ORDER

Defendant James Lee Livingston appeared before the court on March 14, 2016 on an Amended Petition for Warrant or Summons for Offender Under Supervision [72]. The defendant was represented by Assistant Federal Public Defender Karen M. Shanahan and the United States was represented by Assistant U.S. Attorney Donald J. Kleine. Through his counsel, the defendant waived his right to a probable cause hearing on the Report pursuant to Fed. R. Crim. P. 32.1(a)(1). The government moved for detention. However, the defendant is in state custody. Therefore, the government's oral motion for detention shall be held in abeyance.

I find that the Report alleges probable cause and that the defendant should be held to answer for a final dispositional hearing before Senior Judge Strom.

IT IS FURTHER ORDERED:

1. A final dispositional hearing will be held before Senior Judge Strom in Courtroom No. 5, Third Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, on April 13, 2016 at 9:00 a.m. Defendant must be present in person.

2 The government's motion for detention pursuant to the Bail Reform Act is held in abeyance pending the defendant's coming into federal custody.

3. The U.S. Marshal is authorized to return the defendant to the custody of Nebraska state authorities pending the final disposition of this matter and the U.S. Marshal for the District of Nebraska is directed to place a detainer with the correctional officer having custody of the defendant.

Dated this 15th day of March, 2016

BY THE COURT:

s/ F.A. Gossett, III
United States Magistrate Judge